

PROPOSED RULE COST/BENEFIT ANALYSIS

[Section 67-5223\(3\), Idaho Code](#), requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Department of Environmental Quality

Agency Contact: Tiffany Floyd Phone: 373-0552

Date: August 17, 2020

IDAPA 58.01.01, Rules for the Control of Air Pollution in Idaho

Fee Rule Status: X Proposed ___ Temporary

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT /REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.

Fee Category and Statutory Authority: Crop residue burn fee - Idaho Code § 39-114(4)

- The burn fee for Crop Residue Burning is \$2 an acre for the number of acres burned.
- There is a \$20 fee to register for spot and bale permit.

Fee Category and Statutory Authority: Motor vehicle inspection fee - Idaho Code § 39-116B

- The fee for a motor vehicle inspection, as established in Section 39-116B(2)(g), Idaho Code, shall not exceed twenty dollars (\$20) per vehicle.

Fee Category and Statutory Authority: Application fee for industrial or commercial air pollution source permits - Idaho Code § 39-115(3)

- **PERMIT TO CONSTRUCT FEE:**

PERMIT TO CONSTRUCT CATEGORY	FEE
General permit, no facility-specific requirements (Defined as a source category specific permit for which the Department has developed standard emission limitations, operating requirements, monitoring and recordkeeping requirements, and that require minimal engineering analysis. General permit facilities may include portable concrete batch plants, portable hot-mix asphalt plants and portable rock	\$500

crushing plants.)	
New source or modification to existing source with increase of emissions of less than one (1) ton per year	\$1,000
New source or modification to existing source with increase of emissions of one (1) to less than ten (10) tons per year	\$2,500
New source or modification to existing source with increase of emissions of ten (10) to less than one hundred (100) tons per year	\$5,000
Nonmajor new source or modification to existing source with increase of emissions of one hundred (100) tons per year or more	\$7,500
New major facility or major modification	\$10,000
Permit modifications where no engineering analysis is required	\$250
Application submittals for exemption applicability determinations, typographical errors, and name and ownership changes as described in Subsections 224.01, 224.02, 224.03	\$0.00

- **TITLE V PERMITTING FEES.** There are 3 components of the Title V fee. A fixed fee, a per ton fee, and a fee for service.
 - The Tier I annual fixed fee is scaled based on a facility's emissions.

Emissions (tons/year)	Fee
7000 and above	\$ 71,500.00
4500 – 7000	\$ 42,900.00
3000 – 4499	\$ 28,600.00
1000 – 2999	\$ 22,750.00
500 – 999	\$ 11,050.00
200 – 499	\$ 7,150.00
0 – 199	\$ 3,575.00

- A per ton annual fee of \$39.48 for all regulated air pollutant emissions not to exceed the following fee/ton as follows:

Emissions (tons/year)	Maximum Fee
4500 and above	\$ 143,000.00
3000 – 4499	\$ 71,500.00
1000 – 2999	\$ 35,000.00
500 – 999	\$ 25,025.00
200 – 499	\$ 10,725.00
0 – 199	\$ 3,575.00

- **Fee-for-Service.** The fee-for-service shall be as follows: Sources requesting permit modifications or renewals, or receiving program maintenance services, including but not limited to site visits, response to public inquiries, modeling, responses to site questions and opacity readings by the Department shall be assessed a fee for actual time expended and expenses incurred by the Department in the previous calendar year in an amount not to exceed twenty thousand dollars (\$20,000) per facility per year as a fee-for-service. Service shall be conducted by qualified Department staff or contractors.

- **TIER II OPERATING PERMIT FEE**

TIER II OPERATING PERMIT CATEGORY	FEE
General permit, no facility specific requirements (Defined as a source category specific permit for which the Department has developed standard emission limitations, operating requirements, monitoring and recordkeeping requirements, and that require minimal engineering analysis.)	\$500
Stationary sources or facilities with permitted emissions of less than one (1) ton per year	\$1,250
Stationary sources or facilities with permitted emissions of one (1) to less than ten (10) tons per year	\$2,500
Stationary sources or facilities with permitted emissions of ten (10) to less than one hundred (100) tons per year	\$5,000
Stationary sources or facilities with permitted emissions of one hundred (100) tons or more per year	\$10,000

Synthetic minor stationary sources with permitted emissions below a major threshold level	\$10,000
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- **REGISTRATION FEE FOR ROCK CRUSHERS:**

- A registration fee of two hundred fifty dollars (\$250) shall be submitted to the Department with each permit by rule registration for rock crushers.

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.01	\$3.9M	\$1.7M	\$4.4M	\$10M

PROPOSED RULE COST/BENEFIT ANALYSIS

[Section 67-5223\(3\), Idaho Code](#), requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Department of Environmental Quality

Agency Contact: Michael McCurdy Phone: 373-0188

Date: August 17, 2020

IDAPA 58.01.05, Rules and Standards for Hazardous Waste

Fee Rule Status: X Proposed ___ Temporary

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT /REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.

Fee Category and Statutory Authority: Hazardous waste siting license fee - Idaho Code § 39-5813(3)

IDAPA 58.01.05.355

Section 39-5813(3), Idaho Code, authorizes the Director of DEQ to require a hazardous waste siting license fee for processing hazardous waste siting license applications. IDAPA 58.01.05, Rules and Standards for Hazardous Waste, includes a hazardous waste siting license fee scale ranging from \$3,000 to \$7,500. The fee amount is based on the proposed hazardous waste facility's size, projected hazardous waste volumes, and required engineering or hydrogeological information. The license fee covers DEQ's costs to review the application. There is no cost to citizens associated with the license fee.

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.05	\$773,637		\$663,537	\$1,437,174

PROPOSED RULE COST/BENEFIT ANALYSIS

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Department or Agency: Department of Environmental Quality

Agency Contact: Michael McCurdy Phone: 373-0188

Date: August 17, 2020

IDAPA 58.01.06, Solid Waste Management Rules

Fee Rule Status: X Proposed ___ Temporary

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT /REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.

Fee Category and Statutory Authority: Commercial solid waste siting license fee - Idaho Code § 39-7408(C)

IDAPA 58.01.06.994

Commercial Solid Waste Siting License Fee Scale Projected Solid Waste Volume Tons per day (TPD)

Site Size	Up to 20 TPD	20 to 100 TPD	More than 100 TPD
5 acres or less	\$3,500	\$4,500	\$5,500
5 to 50 acres	\$4,500	\$5,500	\$6,500
More than 50 acres	\$5,500	\$6,500	\$7,500

The proposed rule only imposes the fee on applicants of proposed commercial solid waste landfills and does not impose any fees to citizens of the state.

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.06	\$475,822			\$475,822

PROPOSED RULE COST/BENEFIT ANALYSIS

[Section 67-5223\(3\), Idaho Code](#), requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Department of Environmental Quality

Agency Contact: Michael McCurdy Phone: 373-0188

Date: August 17, 2020

IDAPA 58.01.07, Rules Regulating Underground Storage Tank Systems

Fee Rule Status: X Proposed ___ Temporary

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT/REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.

Fee Category and Statutory Authority: Annual underground storage tank program fee - Idaho Code § 39-119, Collection of Fees for Services; Idaho Code § 39-8802(d), Idaho Underground Storage Tank Act

IDAPA 58.01.07.601

Section 39-119, Idaho Code, authorizes DEQ to collect reasonable fees. Sections 39-8802(d)-(f), Idaho Code, state the UST program may be funded by fees. Fees are not to exceed \$100 per tank per year and any fee balance in excess of \$35,000 on December 31 will be applied to reduce the following year's fees. An expenditure report on how DEQ spent the fees will also be provided to the legislature and governor annually by February 1. Section 39-8813, Idaho Code, established the Idaho UST program fund which is a dedicated fund in which the fees are paid. The fund may only be used for the UST program. Fees were \$100.00 in 2018 to establish the account, \$56.00 in 2019, and \$57.00 in 2020.

The proposed rule only imposes the fee on owners of regulated underground storage tank systems and does not impose any fees to citizens of the state.

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.07	\$179,099	\$213,364	\$239,589	\$632,052

PROPOSED RULE COST/BENEFIT ANALYSIS

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Department or Agency: Department of Environmental Quality

Agency Contact: Jerri Henry **Phone:** 373-0471

Date: August 17, 2020

IDAPA 58.01.08, Idaho Rules for Public Drinking Water Systems

Fee Rule Status: **Proposed** **Temporary**

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT/REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.

Fee Category and Statutory Authority: Annual drinking water system fee - Idaho Code § 39-119, Collection of Fees for Services

IDAPA 58.01.08.010

02. Fee Schedule.

a. Community and Nontransient noncommunity public drinking water systems shall pay an annual fee according to the following fee schedule:

Number of Connections	Fee
1 to 20	\$100
21 to 184	\$5 per connection, not to exceed a total of \$735 per system
185 to 3,663	\$4 per connection, not to exceed a total of \$10,988 per system
3,664 or more	\$3 per connection

b. The annual fee for transient public drinking water systems is twenty-five dollars (\$25).

c. New public drinking water systems formed after October 1 will not pay a fee until the following October.

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.08	\$0	\$1,544,102	\$2,318,364	\$3,862,466

PROPOSED RULE COST/BENEFIT ANALYSIS

[Section 67-5223\(3\), Idaho Code](#), requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Department of Environmental Quality

Agency Contact: Mary Anne Nelson Phone: 373-0291

Date: August 17, 2020

IDAPA 58.01.09, Rules Regulating Swine Facilities

Fee Rule Status: X Proposed ___ Temporary

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT/REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.

Fee Category and Statutory Authority: Permit application fee - Idaho Code § 39-119, Collection of Fees for Services

IDAPA 58.01.09.200.10

The fee is an application fee based on size of the facility. Facilities with less than 5,000 animal units are billed \$3,000; with 5,000 to 10,000 animal units billed \$5,000; and over 10,000 animal units are billed \$10,000.

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.09	\$0	\$0	\$0	\$0

This rule chapter does not apply to swine facilities currently operating in Idaho.

PROPOSED RULE COST/BENEFIT ANALYSIS

[Section 67-5223\(3\), Idaho Code](#), requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Department of Environmental Quality

Agency Contact: Jerri Henry Phone: 373-0471

Date: August 17, 2020

IDAPA 58.01.11, Ground Water Quality Rule

Fee Rule Status: X Proposed ___ Temporary

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT/REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.

Fee Category and Statutory Authority: Point of compliance application fee - Idaho Code § 39-119, Collection of Fees for Services

IDAPA 58.01.11.401, Mining.

A mine operator may request DEQ to set a point of compliance, or points of compliance, at which the mine operator shall protect current and projected future beneficial uses of the ground water and meet the ground water quality standards. A fee of \$2,500 must accompany an application for a point of compliance. The fee is designed to partially offset the cost to the agency for reviewing the point of compliance application and setting the point(s) of compliance.

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.11	\$662,864	\$67,898	\$183,139	\$913,902

PROPOSED RULE COST/BENEFIT ANALYSIS

[Section 67-5223\(3\), Idaho Code](#), requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Department of Environmental Quality

Agency Contact: Jerri Henry **Phone:** 373-0471

Date: August 17, 2020

IDAPA 58.01.12, Rules for Administration of Water Pollution Control Loans

Fee Rule Status: **Proposed** **Temporary**

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT /REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.

Fee Category and Statutory Authority: Loan fee to offset costs of administering loan program - Idaho Code § 39-119, Collection of Fees for Services; Idaho Code § 39-3627(4), Water Quality

IDAPA 58.01.12.032

The loan fee shall not exceed 1% of the unpaid balance of the loan at the time each loan payment is due.

01. Loan Fee. The Department may elect to impose a loan fee when necessary to offset the costs of administering the loan program, to provide planning assistance, or to otherwise facilitate the operation of the Clean Water Act State Revolving Fund (CWSRF) effort. The Department may impose a loan fee on loans scheduled to close after January 4, 2006. The loan fee shall not exceed one percent (1%) of the unpaid balance of the loan at the time each loan payment is due.

02. Determination of Loan Fee. The Department shall determine the amount of the loan fee on a yearly basis and shall assess a loan fee based upon each loan recipient's total interest rate. The amount of the loan fee shall be included in the Intended Use Plan, as described by Section 606(c) of the Clean Water Act. In determining the amount of the loan fee, the Department shall consider:

- a.** The Department's anticipated costs of administering the loan program for the upcoming fiscal year, including salaries and overhead;
- b.** Any Department costs related to providing technical assistance for the loan program for the upcoming fiscal year;
- c.** The amount of money generated from loan fees in previous fiscal years available for use in the upcoming fiscal year; and
- d.** The anticipated demand for planning assistance to supplement regular appropriations and other related needs to support the CWSRF loan program.

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.12	\$0	\$922,322	\$449,775	\$1,372,097

PROPOSED RULE COST/BENEFIT ANALYSIS

[Section 67-5223\(3\), Idaho Code](#), requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Department of Environmental Quality

Agency Contact: Michael McCurdy Phone: 373-0188

Date: August 17, 2020

IDAPA 58.01.13, Rules for Ore Processing by Cyanidation

Fee Rule Status: X Proposed ___ Temporary

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT

Section 39-118A(2)(c), Idaho Code, authorizes the Director of DEQ to require a reasonable fee for processing cyanidation permit applications. The existing rule requires applicants to submit a fee ranging from \$5,000 for a pilot facility not processing more than 10,000 tons of ore to \$20,000 for a facility processing more than 120,000 tons of ore during the life of the facility. The existing rule also includes the option for the applicant to enter into an agreement with the Department for actual costs incurred to process a permit application and issue a final permit in lieu of paying a fee.

The proposed rule eliminates the fee schedule included in the existing rule and requires the applicant to enter into an agreement with the Department for actual costs incurred to process a permit application and issue a final permit (see Section 100.04 of the proposed rule). The cost recovery approach is necessary to provide the flexibility required to assess reasonable fees on applicants proposing facilities that can vary substantially in both complexity and size. The cost recovery approach is also necessary for implementation of new provisions in the rule requested by industry including a process for proposing and approving alternatives to the prescriptive requirements of the rule and the approval of final facility designs upon initiation of a new phase of the operation instead of at the time the permit application is submitted.

REASONABLE ESTIMATED COSTS

Section 39-118A(2)(c), Idaho Code, authorizes the Director of DEQ to require a reasonable fee for processing cyanidation permit applications. Therefore, the proposed rule includes a fee, in the form of reimbursement of actual Department costs, for processing a permit application, but does not provide specific funding for agency activities following the issuance of a final permit. The proposed rule does include an option for a mine operator to include other services rendered by the Department in the cost recovery agreement (see section 100.04 of the proposed rule). Agency activities following final permit issuance include the following:

- Review Record Plans and Specifications following construction
- Review quality control documentation following construction
- Review annual reports

- Respond to issues of noncompliance
- Conduct annual inspections
- Review temporary or Seasonal Closure Plans
- Review and respond to Permanent Closure Report
- Review and respond to requests for minor permit modifications
- Review financial assurance documents
- Process permit transfers

The impact to state general fund for administration of a cyanidation permit program is based on the number and size of permitted facilities operating in Idaho. The estimated average annual general fund impact is \$6,000 per permitted facility. However, facilities can vary substantially in both complexity and size which may result in significant variations in the estimated average annual general fund impact. In addition, it is estimated that agency costs will be greater during construction and closure of the facility, but lower during the operational period.

The applicant is required to enter into an agreement with the Department for actual costs incurred to process a permit application and issue a final permit. Facilities can vary substantially in both complexity and size. Development of reasonable estimated cost would require consideration of many factors that are related directly to the proposed facility. However, the estimated cost to an applicant for processing a permit application and issuing a final permit for the operation of a moderately sized facility that is likely to be located in Idaho is a minimum of approximately \$30,000. This estimate assumes the agency has sufficient personnel resources for permit application review and processing and only minimal contractor support is required, a high quality preliminary design report and final permit application are submitted for agency review, minimal agency input is required during development of the permit application, the facility design does not deviate from prescriptive requirements of the rules, the permit application includes the final designs for construction, minimal conditions are required as part of the permit, and the public generally approves of the facility.

The reasonably estimated costs borne by the citizens as a result of the proposed rule is anticipated to be minimal. The proposed rule does not impose any fee or charge directly on citizens of the state.

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.13	\$22,787	\$9,353		\$32,140

PROPOSED RULE COST/BENEFIT ANALYSIS

[Section 67-5223\(3\), Idaho Code](#), requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Department of Environmental Quality

Agency Contact: Mary Anne Nelson Phone: 373-0291

Date: August 17, 2020

IDAPA 58.01.14, Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services

Fee Rule Status: X Proposed ___ Temporary

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT/REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.

Fee Category and Statutory Authority: Fees for environmental operating permits, licenses, inspection services and waiver application processing - Idaho Code § 39-119, Collection of Fees for Services

IDAPA 58.01.14.110

Fee Title	Fee Amount
Installation of individual household septic system	\$90
Installation of multiple household septic system	\$90 + \$10 per each additional 250 gallons of flow
Individual subsurface sewage system pumper permit	\$40 + \$10 per tank or truck per year
Subsurface sewage system installer's registration permit	\$50 per year for standard and basic alternative systems and \$100 per year for standard, basic, and complex alternative systems
Parcel Survey	\$60
Sanitary restrictions for individual systems designed to discharge to subsurface	\$100 + \$20/lot
Sanitary restrictions for individual systems not designed to discharge to subsurface	\$25

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.14	\$0	\$0	\$0	\$0

This rule chapter provides for the levying of fees for certain services; however, these fees are mostly collected by the health districts in their implementation of DEQ's rule chapter IDAPA 58.01.03, Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks.

PROPOSED RULE COST/BENEFIT ANALYSIS

[Section 67-5223\(3\), Idaho Code](#), requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Department of Environmental Quality

Agency Contact: Michael McCurdy Phone: 373-0188

Date: August 17, 2020

IDAPA 58.01.18, Idaho Land Remediation Rules

Fee Rule Status: X Proposed ___ Temporary

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT /REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.

Fee Category and Statutory Authority: Voluntary remediation program application fee - Idaho Code § 39-7210(5), Idaho Land Remediation Act

- *IDAPA 58.01.18.020.02.d: An application fee in the amount of two hundred and fifty dollars (\$250)*
- *IDAPA 58.01.18.021.03: Reimbursement of Costs Included in Agreement*
- *IDAPA 58.01.18.021.03.b.i: The applicant shall deposit two thousand five hundred dollars (\$2,500) with the Department.*

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.18		\$10,887		\$10,887

PROPOSED RULE COST/BENEFIT ANALYSIS

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Department or Agency: Department of Environmental Quality

Agency Contact: Jerri Henry **Phone:** 373-0471

Date: August 17, 2020

IDAPA 58.01.20, Rules for Administration of Drinking Water Loan Program

Fee Rule Status: X Proposed (chapter repeal) ___ Temporary

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT /REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.
This rule chapter is proposed to be repealed and combined into IDAPA 58.01.12, Rules for Administration of Water Pollution Control Loans

Fee Category and Statutory Authority: Loan fee to offset costs of administering loan program - Idaho Code § 39-119, Collection of Fees for Services; Idaho Code § 39-3627(4), Water Quality

IDAPA 58.01.20.032

The loan fee shall not exceed 1% of the unpaid balance of the loan at the time each loan payment is due.

01. Loan Fee. The Department may elect to impose a loan fee when necessary to offset the costs of administering the loan program, to provide planning assistance, or to otherwise facilitate the operation of the Drinking Water State Revolving Fund (DWSRF) effort. The Department may impose a loan fee on loans scheduled to close after December 2, 2009. The loan fee shall not exceed one percent (1%) of the unpaid balance of the loan at the time each loan payment is due.

02. Determination of Loan Fee. The Department shall determine the amount of the loan fee on a yearly basis and shall assess a loan fee based upon each loan recipient's total interest rate. The amount of the loan fee shall be included in the Intended Use Plan, as described by Section 1452 of the Safe Drinking Water Act (42 U.S.C. Section 300j-12). In determining the amount of the loan fee, the Department shall consider:

- a.** The Department's anticipated costs of administering the loan program for the upcoming fiscal year, including salaries and overhead;
- b.** Any Department costs related to providing technical assistance for the loan program for the upcoming fiscal year;
- c.** The amount of money generated from loan fees in previous fiscal years available for use in the upcoming fiscal year; and
- d.** The anticipated demand for planning assistance to supplement regular appropriations and other related needs to support the DWSRF loan program.

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.20	\$0	\$468,958	\$484,435	\$953,393

PROPOSED RULE COST/BENEFIT ANALYSIS

[Section 67-5223\(3\), Idaho Code](#), requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Department of Environmental Quality

Agency Contact: Mary Anne Nelson Phone: 373-0291

Date: August 17, 2020

IDAPA, 58.01.25, Rules Regulating the Idaho Pollutant Discharge Elimination System Program

Fee Rule Status: X Proposed ___ Temporary

Rulemaking Docket Number: 58-0000-2000F

STATEMENT OF ECONOMIC IMPACT/REASONABLE ESTIMATED COSTS

The fees are unchanged from the previous year's temporary fee rule.

Fee Category and Statutory Authority: Application fee and/or annual fee - Idaho Code § 39-175C, Approval of IPDES Program

IDAPA 58.01.25.110

Municipal permittees have an annual fee based on population served: \$1.74 per equivalent dwelling unit

Industrial permittees have an annual fee based on size of discharge: Major designation \$13,000, minor designation \$4,000

Construction storm water permittees have an application fee and annual fee based on size of land area disturbed.

If a construction project can demonstrate a low probability of erosion, there is a low erosivity waiver that may be granted in lieu of the permit. This waiver has an application fee of \$125.

Size disturbed	Application fee	Annual Fee
1-10 acres	\$200	\$0
10-50 acres	\$400	\$75
50-100 acres	\$750	\$100
100-500 acres	\$1,000	\$400
>500 acres	\$1,250	\$400

Industrial storm water permittees have an application and annual fee: \$1,500 application fee and \$1,000 annual fee. Similar to the construction storm water permit, if a permittee can demonstrate that there is no exposure of storm water to pollutants associated with the facility, a certification of no exposure may be granted. There is a \$250 application fee and a \$100 annual fee for this certification.

Estimated Costs to the Agency to Implement the Rule:

Rule Chapter	General Funds	Dedicated Funds	Federal Funds	Total
58.01.25	\$2,000,000*	\$1,000,000*	\$176,000*	\$3,176,000*
Current	\$1,425,813	\$1,172,803	\$259,905	\$2,858,521

*This is the proposed final breakdown once the program is fully authorized and collecting fees from all designated sectors. This will occur in SFY2023.